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LETTER DATED 13 APRIL 1995 FROM THE PERMANENT REPRESENTATIVES OF CHINA, FRANCE, THE RUSSIAN FEDERATION, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to transmit to you the non-paper on the humanitarian impact of sanctions which has been agreed upon after consultations by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

We would be grateful if you would have the present letter and its annex circulated as a document of the Security Council for the information of its members and other States Members of the United Nations.

(Signed) LI Zhaoxing
Permanent Representative of
China to the United Nations

(Signed) Jean-Bernard MERIMEE
Permanent Representative of
France to the United Nations

(Signed) Sergey V. LAVROV
Permanent Representative of
the Russian Federation to
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(Signed) David HANNAY
Permanent Representative of
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to the United Nations

(Signed) Madeleine Korbel ALBRIGHT
Permanent Representative of
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Annex

Humanitarian impact of sanctions

The five permanent members emphasize the importance of the peaceful settlement of international disputes in accordance with the Charter of the United Nations. While recognizing the need to maintain the effectiveness of sanctions imposed in accordance with the Charter, further collective actions in the Security Council within the context of any future sanctions regime should be directed to minimize unintended adverse side-effects of sanctions on the most vulnerable segments of targeted countries. The structure and implementation of future sanctions regimes may vary according to the resource base of the targeted country. The relevant considerations include:

- To assess objectively the short- and long-term humanitarian consequences of sanctions in the context of the overall sanctions regime. The more information the Security Council and sanctions committees have on the humanitarian situation at any stage in existing or potential target countries, the better. In this respect, a coordinating role for the Department of Humanitarian Affairs would be welcomed. The Department should draw on the expertise and assistance of States, agencies, appropriate international bodies and non-governmental organizations, and report to sanctions committees. The committees could draw on those reports in making operational decisions and when necessary refer matters beyond their competence to the Security Council for decision (for example, recommendations which would require changes to Security Council resolutions).

- In case of emergencies or force majeure situations, the Security Council and/or the sanctions committees may review the application of sanctions and take appropriate actions.

- In reviewing sanctions in the Security Council, to give due regard to the humanitarian situation.

- To envisage in the sanctions regimes provision for all States, including targeted States, to allow unimpeded access to humanitarian aid. To elaborate measures aimed at discouraging the targeted States from impeding humanitarian aid and encouraging them to render their assistance in this respect.

- To ensure that procedures for consideration of humanitarian applications by sanctions committees are as expeditious as possible. The simplest possible authorization procedure should be developed in the case of essential humanitarian supplies - vital to the civilian population - with arrangements for monitoring by United Nations humanitarian agencies when it is necessary. Clearly defined categories of medical supplies and foodstuffs should be allowed to be supplied even without notification of relevant sanctions committees.

- To facilitate the expeditious process in the sanctions committees of applications from United Nations humanitarian agencies and the International Committee of the Red Cross.

- To pay particular attention to the improvement of the effectiveness of the sanctions committees by drawing on the experience and the work of different sanctions committees.